

**City of Warwick Planning Board
Meeting Minutes
Wednesday, May 9, 2012**

Members Present: Philip Slocum, Chairman
Vincent Gambardella, Vice-Chairman
James Desmarais
Laura Pisaturo
Cynthia Gerlach
Thomas Kiernan
Sue Stenhouse
Steven Horowitz

Members Absent: John J. Mulhearn Jr.

Also in attendance: Patricia Reynolds, Business Development Coordinator
Lidia Cruz-Abreu, Planning Specialist
Eric Hindinger, Engineer Project Manager
Peter Ruggiero, City Solicitor

Chairman Slocum called the meeting to order at 6:10 P.M.

The April 2012 meeting minutes were presented for review and approval. A motion was made by Ms. Pisaturo to approve the April meeting minutes, as presented. The motion was seconded by Mr. Gambardella. All voted in favor, none opposed, with Ms. Stenhouse abstaining.

Chairman Philip Slocum recused himself from the following petition in accordance with RIGL § 36-14-6, transferring the meeting to Vice-Chairman Gambardella.

Public Informational Meeting
Major Land Development Project/Subdivision

Post Road
BAR RI, LLC

Applicants: Balise Motor Sales,
Madelyn M. Dee (Trustee), Angelina M. Kiernan (Trustee),
Elena M. Rocchio (Trustee)

Location: 1300, 1338, 1354, 1356 and 1400 Post Road

Assessor's Plat: 309

Lot: 39, 41, 47, 48, 49, 50 and 247

Zoning District: General Business, Light Industrial

Proposed Zone: General Business, with variances

Land Area: 10.6 acres

Number of Lots: 7

Proposed # of Lots: 4

Engineer: Fuss & O'Neill

Ward: 3

The Applicants were represented by Attorney K. Joseph Shekarchi. Mr. Shekarchi gave a brief history of the project explaining that the Planning Board and the City Council had previously approved the Toyota Dealership facility, which is a state of the art, privately funded, multimillion dollar facility. Attorney Shekarchi further explained that Mr. Jeb Balise, of Balise Motor Group; was currently in a 99-year lease with the option to buy, with an abutting property owner and wanted to demolish the existing Chevrolet facility that has been in existence since the 1950's and in a two-phase project, build a new Nissan facility and a new Chevrolet facility. Mr. Shekarchi explained that the two-phase project will have less pavement and more green space and the Applicant has worked closely with City staff, RIDEM, and the abutting neighbors to improve the site.

Mr. Shekarchi stated that the Applicant was in agreement with all of the Planning Department's findings and recommendations.

Ms. Stenhouse asked when construction would begin and Mr. Shekarchi indicated that the Applicant would like to begin construction the summer of 2012; the project would be constructed in two-phases; that the 1st-Phase should be completed in the winter months and that the 2nd Phase would begin following completion of the 1st Phase.

Being no further questions from the Board, Ms. Stenhouse made a motion to open the public meeting, seconded by Ms. Pisaturo. All in favor; none opposed.

Being no questions, Mr. Kiernan made a motion to close the Public Meeting, seconded by Mr. Desmarais. All in favor; none opposed.

Mr. Gambardella asked to have the Planning Department findings and recommendations read into the record, they are as follows:

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

1. Generally consistent with the Comprehensive Community Plan.
2. Not in compliance with the standards and provisions of the City's Zoning Ordinance, therefore requiring City Council approval for a zone change from General Business and Light Industrial, to General Business with relief for location and size of parking spaces, parking spaces less than five (5) feet from a building, less than required loading spaces, less than required landscape, and signage larger than allowed.
3. That the subject property is located on the easterly side of Post Road and the southerly side of Ethan Street, and is identified as Assessor's Plat: 309 Assessor's Lots: 39, 41, 47, 48, 49, 50 and 247 and consists of approximately 10.6 acres.

4. That the four (4) lots proposed to be merged (AP 309, ALs 39, 47, 48, and 49) are leased by the Applicant, Balise Motor Sales, and owned jointly by Madelyn M. Dee (Trustee), Angelina M. Kiernan (Trustee), and Elena M. Rocchio (Trustee)
5. That the properties 200' north and south of the subject parcel, and fronting on Post Road are general business uses.
6. That Balise Motor Sales (the Applicant) owns abutting parcel (AP309, AL 062), which is zoned General Business and authorized for vehicle sales, service, and outdoor display by City Council Zone change PCO-18-08, with relief.
7. That the subject property is currently being used for vehicle sales, service, and associated outdoor display.
8. That the proposed project will result in a similar total building footprint, with 45,457 square feet of building being demolished and approximately 48,360 square feet being constructed.
9. That the proposed project will result in a reduction in the amount of impervious pavement on the site.
10. That Historic Cemetery #10, the Vincent Gardiner Lot, is located within the project area. (Vincent Gardiner died in 1897 and was a veteran of the Civil War.)
11. That the eastern edge of the property is within the 50' wetlands setback, with no construction proposed within this buffer area.
12. That there will be no significant negative environmental impacts from the proposed development.
13. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
14. That the proposed development possesses adequate access to a public street.
15. That there are five (5) existing curb cuts on the property. The proposed project will utilize an existing 30 foot wide curb cut for ingress/egress and will eliminate four (4) existing curb cuts with the installation of granite curb and concrete sidewalk.
16. That the property has access to public sewer and water.

Planning Department Recommendation

Planning Department recommendation is to grant Master Plan approval, with the following stipulations:

1. That the Applicant shall receive approval from the City Council for a zone change on AP 309, ALs. 39, 47, 48 and 49, from General Business and Light Industrial to General Business, with the necessary relief.
2. That prior to Preliminary approval, the Applicant shall received any and all necessary State Permits, including, but not limited to, a Rhode Island Department of Transportation (DOT) Physical Alteration Permit.
3. That a Stormwater Management Plan shall be designed in accordance with Rhode Island Stormwater Design and Installation Standards Manual, dated December 2010, to demonstrate a zero-net runoff from the development.
4. That the project shall maintain a 25' landscape buffer around the historic cemetery, as per state law and this buffer shall not be used for vehicle parking or storage. The Applicant shall record an access easement to the historic cemetery.
5. That the Applicant shall coordinate any proposed work on the waterline with the Warwick Water Division.
6. That the Applicant shall submit new flows generated and an Inflow and Infiltration (I&I) fee to the Warwick Sewer Authority (WSA), prior to obtaining a building permit.
7. That the Applicant shall install covers to grade on the oil/water separator for inspection and cleaning purposes, submit a complete detail sheet in compliance with WSA standards, and comply with any and all WSA pretreatment requirements.
8. That all corners shall be negotiable by vehicles having an outer turning radius of fifty (50) feet and all dead end roads longer than 150 feet shall provide turning capabilities for fire apparatus per NFPA 1 (RIUFC), 2003 edition.
9. That there shall be no architectural, landscape or natural barriers to prevent easy access of fire and life safety apparatus.
10. That the Applicant shall submit a landscape plan, drawn and stamped by a Rhode Island licensed Landscape Architect, for review and approval by the Warwick Landscape Project Coordinator. This plan shall include, at a minimum:
 - a. Vegetation of the bioretention areas with Rhode Island native plant material.

- b. Trees, shrubs and evergreen groundcover along both sides of the entry drive, as well as in the parking lot islands.
 - c. Irrigation for landscaping and lawn areas along Post Road.
 - d. All interior landscaping shall be watered on a consistent schedule during the summer months. Please provide a plan/contract describing details of a watering plan.
11. That the project landscape architect shall contact the City’s Landscape Project Coordinator regarding tree species and native plant material, prior to the commencement of the landscape plan.
12. All landscaping must be maintained in healthy condition for the life of the project, as per Warwick Zoning Ordinance, 505.7(B) *Maintenance of Landscaped Areas*.

On the motion of Mr. Desmarais, seconded by Ms. Stenhouse, the Planning Board voted unanimously to formally adopt the Planning Department’s findings and recommendations, and to grant Master Plan Approval, with the Planning Department’s recommended stipulations.

Request for a Zone Change
Recommendation

Applicant: Balise Motor Sales, Madelyn M. Dee (Trustee), Angelina M. Kiernan (Trustee), Elena M. Rocchio (Trustee)

Location: 1300, 1338, 1354 and 1356 Post Road

Assessor’s Plat: 309

Assessor’s Lots: 39, 47, 48, 49

Zoning District: General Business and Light Industrial

Proposed Zoning: General Business, with variances

Being no questions, Mr. Gambardella asked to have the Planning Department findings and recommendation read into the record, they are as follows:

Planning Department Findings

The Planning Department finds the proposed zone change to be in compliance with the City’s Comprehensive Plan, including the Goals and Policies Statement and the Implementation Program. The Planning Department also finds this proposal to be generally consistent with the following Goals as presented in the Economic Element of the City’s Comprehensive Plan:

- a. Ensure the retention and expansion of existing businesses in Warwick.
- b. Assist in forming an economic base capable of providing a desirable standard of living creating job opportunities, and fulfilling reasonable government tax needs.
- c. Maximize employment opportunities for Warwick residents including: disadvantaged minority groups, the unemployed and under-employed.

- d. Encourage commercial and industrial development in Warwick that emphasizes business retention and expansion.

The Planning Department also finds the proposed zone change to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- A.) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
- E.) The availability and capacity of existing and planned public and/or private services and facilities.
- F.) The need to shape and balance urban and suburban development.

103.10 Promote a high level of quality in design in the development of private and public facilities.

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zone change from General Business and Light Industrial, to General Business, with relief for location and size of parking spaces, parking spaces less than five (5) feet from a building, less than required loading spaces, less than required landscape, and signage larger than allowed.

- 1) That any additional development on the property shall require a Development Plan Review (DPR) to be approved by the Warwick Planning Board in compliance with City of Warwick Development Review Regulations.

Being no questions, Ms. Pisaturo made a motion to accept the findings and recommendation, as presented, and forward a favorable recommendation to the City Council, seconded by Ms. Stenhouse. All in favor; none opposed.

Chairman Slocum, returned to the table and asked if there were any other petitions to be heard, being none, a motion was made to adjourn at 6:35 PM, by Ms Pisaturo and Mr. Desmarais, , seconded by Ms. Stenhouse.